

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

CASE NO. CR20-5164 BHS

**Plaintiff,**

ORDER

V.

## BENJAMIN JOHN SHARP.

**Defendant.**

This matter is before the Court on Defendant Benjamin Sharp’s Motion for Early Termination of Supervised Release. Dkt. 14. The United States Probation Office responds although Sharp has performed well on supervised release, it could not recommend termination of supervision because his underlying offense is sex-related. Dkt. 17 at 1. Government also opposes early termination of supervision. Dkt. 18. It asserts that ‘s motion is untimely given the special condition of his release that require him to serve at least 60 months of supervision before moving for termination of supervision. 2; see Dkt. 2 at 30. The Government contends that Sharp’s supervision began on 12, 2019, and that he is therefore not able to seek early termination until April 12, *Id.* Aside from this special condition, the Government argues that termination after

1 only one third of the assigned supervision term “feels premature” given the serious nature  
2 of the crime. *Id.*

3       The Court finds that early termination of Sharp’s supervision is not appropriate at  
4 this time. A special condition of his release prohibits him from moving for this relief  
5 before he successfully completes at least 60 months of supervised release. Dkt. 2 at 30.  
6 Additionally, although the Court is not bound by Probation’s policy to deny early  
7 termination of supervision where a defendant’s underlying offense is sex-related, the  
8 gravity of the underlying offense weighs against termination after only one third of the  
9 term of supervision.

10       The Court recognizes, however, that compliance with the conditions of supervised  
11 release for an extended period demonstrates rehabilitation and that the possibility of early  
12 termination provides incentive to defendants to do well on supervision. All parties and  
13 Probation acknowledge that Sharp has complied with the conditions of his release  
14 including completion of a Sex Offender Treatment program on July 4, 2023. Dkt. 14,  
15 Exh. E. The Court will consider a renewed motion for early termination of supervised  
16 release filed one year after the completion of his Sex Offender Treatment program on or  
17 after July 4, 2024, provided that Sharp continues to comply completely with his  
18 conditions of release.

19       Accordingly, it is hereby **ORDERED** that the Motion for Early Termination of  
20 Supervised Release, Dkt. 14, is **DENIED**.

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Dated this 7th day of December, 2023.

John A. Steele

BENJAMIN H. SETTLE  
United States District Judge